

UNITED STATES DISTRICT COURT
for the
Eastern District of Missouri

UNITED STATES OF AMERICA

Plaintiff(s)

vs.

Case Number: 4:18-CR-00977-CDP-SPM

ANTONIO DIXSON

Defendant(s)

**DEFENDANT’S FIRST MOTION IN LIMINE TO PREVENT THE GOVERNMENT
FROM ELICITING EVIDENCE OF THE DEFENDANT’S BAD ACTS**

COMES NOW the Defendant, by and through his attorney, David L. Brengle, and in support of his “DEFENDANT’S FIRST MOTION IN LIMINE TO PREVENT THE GOVERNMENT FROM ELICITING EVIDENCE OF THE DEFENDANT’S BAD ACTS”, he offers the following:

1. Undersigned counsel expects that government witness will allege that during a search incident to Mr. Dixon’s arrest for Trespass in this case, that St. Louis City Police Officers located a small amount of a controlled substance, commonly referred to as K2, in the possession of Mr. Dixon.
2. The Defendant’s possession of a very small amount of a controlled substance is not relevant to whether he possessed a firearm.
3. Attempts at offering evidence that the defendant possessed a small amount of a controlled substance or asking questions likely to elicit information regarding the defendant’s possession of a controlled substance are simply attempts at offering

propensity evidence and such actions would violate Federal Rules of Evidence 401, 403, and 404.

WHEREFORE, the Defendant respectfully requests this Court order the Government to instruct its witnesses to refrain from offering evidence or eliciting testimony about the Defendant's possession of a controlled substance.

Respectfully Submitted,

/s/ David L. Brengle
DAVID L. BRENGLE
Assistant Federal Public Defender
650 Missouri Avenue, Room G10A
East St. Louis, Illinois 62201
(618) 482-9050

ATTORNEY FOR ANTONIO DIXSON

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that he has caused a true and correct copy of the foregoing to be served upon:

Jason Dunkel
Assistant United States Attorney
Thomas Eagleton U.S. Courthouse
111 S. 10th Street, Rm. 20.333
St. Louis, MO 63102

via electronic filing with the Clerk of the Court using the CM/ECF system this 5th day of November, 2019.

/s/ David Brengle
DAVID BRENGLE